

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)
) Case No. 16-31606-KRH
TERESA S. CAMDEN,)
) Chapter 7
)
Debtor.)

**TRUSTEE'S MOTION TO SELL PROPERTY
OF THE ESTATE AT PUBLIC AUCTION**

Bruce H. Matson, Trustee ("Trustee") for Teresa S. Camden (the "Debtor"), by counsel, pursuant to section 363 of 11 U.S.C. § 101 *et seq.* (the "Bankruptcy Code") and *Federal Rule of Bankruptcy Procedure* 6004, hereby moves this Court for authority (i) to sell certain property of the bankruptcy estate at public auction free and clear of all liens, claims, rights and interests and encumbrances and (ii) in connection with such sale, to pay the costs of closing, including commissions and/or fees of the Auctioneer (as defined below) at the closing from the sale proceeds pursuant to 11 U.S.C. § 330, and in support thereof, states the following:

Background

1. The Debtor filed for relief in the above-captioned Bankruptcy Court (the "Court") pursuant to Chapter 11 the Bankruptcy Code on March 31, 2016.
2. The Trustee was appointed interim Trustee in the case and continues to serve in that capacity.
3. This Court has jurisdiction pursuant to 28 U.S.C. § 1334(a) and 157(a).

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William A. Gray, Esquire (VSB No. 46911)
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Counsel for Bruce H. Matson, Trustee

4. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

Need/Basis for Relief

5. Among the assets of the Debtor's bankruptcy estate is a 2010 GMC Acadia (VIN #1GKLRLED3AJ127521) (the "**Property**").

6. Pursuant to 11 U.S.C. § 363(b)(1) and (f) the trustee, after notice and a hearing, may sell property of the estate other than in the ordinary course of business free and clear of liens.

7. The Trustee proposes to sell the Property at public auction to the highest bidder by using the services of Motley's Richmond Auto Auction, Inc. (the "**Auctioneer**") to advertise, list and auction the Property and to compensate the Auctioneer by paying a commission equal to 15% of the purchase price of the Property.

8. The Trustee submitted an application to employ the Auctioneer, and the Court entered an order approving such employment on August 17, 2016, [Docket No. 34].

9. The Trustee understands that there are no liens against the Property.

10. The Property will be sold "As Is." The Trustee believes that sale at public auction to the highest bidder will provide the best possible return on the Property to the estate and is in the best interest of the creditors.

11. Adequate notice of the proposed sale and the hearing, as required by Rule 2002 and Rule 6004, has been given as reflected on the notice of hearing, and no further notice is required.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order substantially in the form attached hereto as Exhibit A: (i) authorizing the Trustee to sell the Property free and clear of all liens, claims, interests, and encumbrances by public auction to the highest bidder; (ii)

authorizing payment of commission(s) and costs concerning the sale of the Property from the sale proceeds; (iii) waiving the 6004(h) stay; and (iv) granting such other and further relief as if just and appropriate under the circumstances.

DATE: August 17, 2016

**BRUCE H. MATSON, TRUSTEE
FOR THE BANKRUPTCY ESTATE OF
TERESA S. CAMDEN**

By Counsel:

/s/ C. Thomas Ebel

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Counsel for Bruce H. Matson, Trustee

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2016, a true and correct copy of the Trustee's Motion to Sell Property of the Estate at Public Auction was sent by first-class mail, postage prepaid or electronic delivery to all parties on the attached **Service List** and to:

Robert B. Van Arsdale
Office of the U.S. Trustee
701 East Broad Street-Suite 4304
Richmond, VA 23219
U.S. Trustee

Sharon Choi Stuart, Esquire
Stuart Law Firm, LLC
2222 Monument Avenue
Richmond, Virginia 23220
Counsel for the Debtor

Rosemary Hampton
Richmond Auto Auction
3600 Deepwater Terminal Road
Richmond, Virginia 23234
Fleet Lease Manager

/s/ C. Thomas Ebel _____

SERVICE LIST